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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/701,158

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Seppo Pohja

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11/17/2006

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EXAMINER

TRAN, TUAN A

ART UNIT

PAPER NUMBER

2618

DATE MAILED: 11/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/701,158	POHJA ET AL.	
	Examiner	Art Unit	
	Tuan A. Tran	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-52 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-52 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

1. Claims 1, 6-11, 13-15, 22-25, 26-32, 37-44 and 48--51 are rejected under 35 U.S.C. 102(a) as being anticipated by Myers (2002/0101519).

Regarding claims 1, 6, 14-17 and 26-29, Myers discloses an apparatus and method (See fig. 1) for registering entities associated with a creation of content, comprising: creating a digital content at a mobile terminal 2 capable of communicating via a wireless network (devices 2 and 5 establish a wireless network); obtaining identifiers corresponding to one or more entities {1, 1a} & {25, 25a} associated with the creation of the digital content via the mobile terminal 2, wherein the one or more entities {1, 1a} & {25, 25a} comprises one or more mobile terminals 1a, 25a and wherein obtaining identifiers comprises: transmitting at least one wireless signal from the terminal 2 to the entities {1, 1a} & {25, 25a} within a wireless transmission range of the terminal (within a proximity of the mobile terminal 2); and receiving a responsive wireless signals, including the identifiers, from the one or more entities 1a, 25a (entities 1a, 25a are transponders that are widely known in the art as well as defined by the Newton's Telecom Dictionary as devices that transmit responsive signals in response to

Art Unit: 2618

received query signals) within the wireless transmission range of the mobile terminal 2 (See figs. 1-3 and page 1 [0018, page 2 [0019]]; and registering the identifiers of the one or more entities with the created digital content at the mobile terminal 2, wherein registering the identifiers comprises storing the obtained identifiers and associating the stored identifiers with the created digital content by including the created digital content and the obtained identifiers in a common container (See fig. 3 and page 2 [0022]).

Claims 30-31, 36-38 are rejected for the same reasons as set forth in claims 1, 6, 14-15 and 26-29.

Claims 40-44 and 47-51 are rejected for the same reasons as set forth in claims 1, 6, 14-15 and 26-29, as apparatus.

Regarding claims 7-9 and 13, Myers discloses as cited in claims 1 and 6. Myers further discloses associating the identifiers with the created digital content comprises including a reference to the created digital content and to the obtained identifiers wherein the reference comprises a file name (See page 2 [0022]).

Regarding claims 10-11, Myers discloses as cited in claim 1. Myers further discloses the steps of mapping the identifiers of interest to communication addresses of users corresponding to the one or more entities registered with the created digital content (See fig. 5) and sending the created digital content to the users corresponding to the one or more entities registered with the created digital content based on personal information including e-mail addresses by the remote server 10 or the computer system 7 (See page 2 [0027]) (the claim language is not narrow enough to prevent the created digital content from being sent to the user by other terminals such as the server).

Claim 32 is rejected for the same reasons as set forth in claim 11.

Regarding claims 22-24, Myers discloses as cited in claim 1. Myers further discloses obtaining identifiers comprises obtaining the identifiers in response to a trigger event, wherein the trigger event comprises the creation of the digital content or the occurrence of a time-related event (See page 1 [0018] and page 2 [0019]).

Regarding claim 25, Myers discloses as cited in claim 22. Myers further discloses the steps of mapping the identifiers of interest to communication addresses of users corresponding to the one or more entities registered with the created digital content (See fig. 5) and sending the created digital content to the users corresponding to the one or more entities registered with the created digital content based on personal information including e-mail by the remote server 10 or the computer system 7 (See page 2 [0027]) (the claim language is not narrow enough to prevent the created digital content from being sent to the user by other terminals such as the server).

Regarding claim 39, Myers discloses as cited in claim 30. Myers further discloses creating digital content at the mobile terminal comprises creating a digital image (See page 2 [0019]).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Myers (2002/0101519).

Regarding claim 35, Myers discloses as cited in claim 30. However, Myers does not mention that the transmission/reception of the query and responsive signals utilized Bluetooth protocol (utilizing Bluetooth transponder). Since Bluetooth transponder is known in the art at the time the invention was made as shown by Knutsson (WO 03/063106); therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use Bluetooth transponder for the advantage of expanding the capability of the system to various types of transponders.

3. Claims 2-5, 33-34 and 45-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Myers (2002/0101519) in view of Weston et al. (2002/0008622).

Regarding claims 2 and 5, Myers discloses as cited in claim 1. However, Myers does not mention the steps of filtering the obtained identifiers to designate the identifiers of interest, comparing the obtained identifiers with the identifiers of interest to arrive a resulting list of identifiers, and registering the resulting list of identifiers with the created digital content. Weston teaches an apparatus and method for registering entities associated with a created digital content comprising the steps of filtering the obtained identifiers to designate the identifiers of interest UGIN, comparing the obtained identifiers with the identifiers of interest UGIN to arrive a resulting list of identifiers, and registering the resulting list of identifiers with the created digital content (See page 1

Art Unit: 2618

[0006], page 2 [0022], page 3 [0042-0043]). Since both Myers and Weston teach about system and method for associating digital content with obtained identifiers; therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the teaching of Weston in modifying the system and method as disclosed by Myers for the advantage of providing higher degree of flexibility and convenience to users in organizing and retrieving digital content associating with identifiers.

Claims 33-34 are rejected for the same reasons as set forth in claims 2 and 5.

Claim 45 is rejected for the same reasons as set forth in claims 2 and 5, as apparatus.

Regarding claims 3-4, Myers & Weston disclose as cited in claim 2. Myers further discloses the steps of mapping the identifiers of interest to communication addresses of users corresponding to the one or more entities registered with the created digital content (See fig. 5) and sending the created digital content to the users corresponding to the one or more entities registered with the created digital content based on personal information including e-mail addresses by the remote server 10 or the computer system 7 (See page 2 [0027]) (the claim language is not narrow enough to prevent the created digital content from being sent to the user by other terminals such as the server).

Claim 46 is rejected for the same reasons as set forth in claims 3-4, as apparatus.

Allowable Subject Matter

Art Unit: 2618

Claims 12 and 18-21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claim 12, Myers discloses as cited in claim 11. However, Myers does not mention the step of transmitting a list of the obtained identifiers to the addresses of the one or more entities registered with the created digital content.

Regarding claims 18-21, Myers discloses as cited in claim 11. However, Myers does not mention the step of obtaining identifiers comprises the terminal requesting transmission of the identifiers from a network service to the terminal.

Response to Arguments

Applicant's arguments with respect to claims 1-52 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan A. Tran whose telephone number is (571) 272-7858. The examiner can normally be reached on Mon-Fri, 10:00AM-6:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Anderson can be reached on (571) 272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2618

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Tuan Tran